## ARTICLE 74:36 – AIR POLLUTION CONTROL PROGRAM

## NOTICE OF PUBLIC HEARING TO REVISE RULES

A public hearing will be held in the Matthew Environmental Education and Training Center, Joe Foss Building, Pierre, South Dakota, on April 15, 2010, at 10:15 a.m. central daylight time, to consider the adoption and amendment of proposed rules numbered:

a. revising chapter 74:36:01 (e.g. revising sections 74:36:01:01, 74:36:01:05, 74:36:01:10, 74:36:01:20, and adding section 74:36:01:21);
b. revising chapter 74:36:02 (e.g. revising sections 74:36:02:02 through 74:36:02:05);
c. revising all of chapter 74:36:03;
d. revising chapter 74:36:04 (e.g. revising sections 74:36:04:02, 74:36:04:03, 74:36:04:03.01, 74:36:04:04, 74:36:04:06, 74:36:04:07, 74:36:04:09, 74:36:04:10, 74:36:04:12, 74:36:04:12.01, 74:36:04:13, 74:36:04:15 through 74:36:04:18, 74:36:04:20, 74:36:04:20.01, 74:36:04:20.04, 74:36:04:23, 74:36:04:27, 74:36:04:32, adding section 74:36:04:02.01, and repealing 74:36:04:11);
e. revising chapter 74:36:05 (e.g. revising sections 74:36:05:01, 74:36:05:02, 74:36:05:03, 74:36:05:04, 74:36:05:04.01, 74:36:05:06 through 74:36:05:09, 74:36:05:12, 74:36:05:16.01, 74:36:05:17, 74:36:05:18, 74:36:05:20.01, 74:36:05:20.03, 74:36:05:21.01, 74:36:05:28, 74:36:05:30, 74:36:05:31, 74:36:05:32, 74:36:05:38, 74:36:05:41, 74:36:05:42, 74:36:05:44, 74:36:05:46, 74:36:05:51, and repealing section 74:36:05:03.01);
f. revising chapter 74:36:07 (e.g. revising sections 74:36:07:01 through 74:36:07:07.01, 74:36:07:09, 74:36:07:10, 74:36:07:12 through 74:36:07:22, 74:36:07:23 through 74:36:07:28, 74:36:07:31 through 74:36:07:34, 74:36:07:36, 74:36:07:37, 74:36:07:39 through 74:36:07:46; 74:36:07:47 through 74:36:07:76, 74:36:07:77 through 74:36:07:89, and adding sections 74:36:07:22.01, 74:36:07:46.01, 74:36:07:76.01 and 74:36:07:90);
g. revising chapter 74:36:08 (e.g. revising sections 74:36:08:01, 74:36:08:02, 74:36:08:02.01, 74:36:08:03 through 74:36:08:102, and adding sections 74:36:08:02.02, 74:36:08:02.03, 74:36:08:02.04, and 74:36:08:103 through 74:36:08:121);
h. revising chapter 74:36:09 (e.g. revising sections 74:36:09:02 and 74:36:09:03);
i. revising chapter 74:36:10 (e.g. revising sections 74:36:10:02, 74:36:10:03.01, 74:36:10:05, 74:36:10:07 through 74:36:10:10)
j. revising chapter 74:36:11 (e.g. revising section 74:36:11:01);
k. revising chapter 74:36:12 (e.g. revising sections 74:36:12:01 and 74:36:12:03);
l. revising chapter 74:36:13 (e.g. revising sections 74:36:13:02, 74:36:13:03, 74:36:13:04, 74:36:13:06, 74:36:13:07, and 74:36:13:08);
m. revising all of chapter 74:36:16;
n. revising chapter 74:36:18 (e.g. revising section 74:36:18:10);
o. repealing chapter 74:36:19; and
p. adding chapter 74:36:20; and

The effect of the proposed amendments will be to adopt revision to federal regulations. By adopting the proposed amendments, the South Dakota air pollution control program rules

will continue to comply with the federal regulations, and South Dakota will maintain approval of its air quality program. In addition, EPA has passed several new federal standards that affect South Dakota since the South Dakota Department of Environment and Natural Resources last revised the Administrative Rules of South Dakota 74:36. The rules will be amended to include these new standards.

South Dakota's Minor and Title V air quality operating permit programs are a combined construction and operating permit program. The rules are being amended to include a new construction permit program and amending the Minor and Title V air quality operating permit programs to remove the construction sections in these operating permit programs.

Persons interested in presenting data, opinions, and arguments for or against the proposed amendments may do so by appearing in person at the hearing or by submitting written comments to the South Dakota Department of Environment and Natural Resources at the mailing address that appears below. The department must receive written comments by the close of business on April 14, 2010, to be considered.

After the hearing, the board will consider all written and oral comments it receives on the proposed amendments. The board may modify or amend a proposed rule at that time to include or exclude matters that are described in this notice.

Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the department at least 48 hours before the public hearing if you have special needs for which special arrangements must be made. The telephone number for making special arrangements is (605) 773-3151.

Copies of the proposed rules may be obtained without charge from the

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Steven M Pirner, Secretary
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Published once at the total approximate cost of _____.